

# House Amendment 8124

PAG LIN

1 1 Amend House File 2610 as follows:  
1 2 #1. Page 6, by inserting after line 7 the  
1 3 following:  
1 4 <DIVISION \_\_\_\_  
1 5 COUNTY PROHIBITION  
1 6 Sec. \_\_\_\_\_. Section 331.303, Code 2007, is amended  
1 7 by adding the following new subsection:  
1 8 NEW SUBSECTION. 10A. a. A county shall not adopt  
1 9 or enforce county legislation prohibiting a county  
1 10 sheriff or deputy sheriff, county official, or county  
1 11 employee from communicating or cooperating with  
1 12 federal officials with regard to the immigration  
1 13 status of any person within the state. Members of the  
1 14 board of supervisors who vote to approve such county  
1 15 legislation may be personally liable under section  
1 16 670.12 for damages resulting from enforcement of the  
1 17 county legislation.  
1 18 b. The internal rules of a county office or  
1 19 department shall not prohibit a county sheriff or  
1 20 deputy sheriff, county official, or county employee  
1 21 from communicating or cooperating with federal  
1 22 officials with regard to the immigration status of any  
1 23 person within the state.  
1 24 Sec. \_\_\_\_\_. Section 364.3, Code 2007, is amended by  
1 25 adding the following new subsection:  
1 26 NEW SUBSECTION. 10. a. A city shall not adopt or  
1 27 enforce an ordinance prohibiting a city peace officer,  
1 28 city official, or city employee from communicating or  
1 29 cooperating with federal officials with regard to the  
1 30 immigration status of any person within the state.  
1 31 City council members who vote to approve such an  
1 32 ordinance may be personally liable under section  
1 33 670.12 for damages resulting from enforcement of the  
1 34 ordinance.  
1 35 b. The internal rules of a city office or  
1 36 department shall not prohibit a city peace officer,  
1 37 city official, or city employee from communicating or  
1 38 cooperating with federal officials with regard to the  
1 39 immigration status of any person within the state.  
1 40 Sec. \_\_\_\_\_. Section 670.12, Code 2007, is amended to  
1 41 read as follows:  
1 42 670.12 OFFICERS AND EMPLOYEES == PERSONAL  
1 43 LIABILITY.  
1 44 All officers and employees of municipalities are  
1 45 not personally liable for claims which are exempted  
1 46 under section 670.4, except claims for punitive  
1 47 damages, claims for damages pursuant to section  
1 48 331.303, subsection 10A, or section 364.3, subsection  
1 49 10, and actions permitted under section 85.20. An  
1 50 officer or employee of a municipality is not liable  
2 1 for punitive damages as a result of acts in the  
2 2 performance of a duty, unless actual malice or  
2 3 willful, wanton and reckless misconduct is proven.>  
2 4 #2. Title page, line 1, by inserting after the  
2 5 word <to> the following: <identity determination and  
2 6 protection and>.  
2 7 #3. Title page, line 3, by inserting after the  
2 8 word <individuals,> the following: <and providing for  
2 9 cooperation with federal officials with regard to a  
2 10 person's immigration status,>.  
2 11 #4. By renumbering as necessary.  
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2 13  
2 14  
2 15 STRUYK of Pottawattamie  
2 16 HF 2610.707 82  
2 17 ak/rj/11217